

REMARKS

INTRODUCTION

In accordance with the foregoing, no claims have been canceled or amended. Claim 19 has been added. No new matter is being presented, and approval and entry are respectfully requested.

Claims 1-16 and 19 are pending and under consideration. Reconsideration is respectfully requested.

DOUBLE PATENTING

In the Office Action, at page 3, claims 1-16 were provisionally rejected on the ground of non-statutory obviousness-type double patenting as being unpatentable over claims 1-9 and 20 of copending U.S. Patent Application Serial No. 10/676,144 in view of U.S. Patent No. 6,453,541 issued to Guthrie et al. and U.S. Patent No. 4,563,824 issued to Baun. Applicants have filed herewith a terminal disclaimer in this application. Accordingly, the Applicants respectfully submit that the double patenting rejection has been overcome.

REJECTION UNDER 35 U.S.C. §102 OF CLAIMS 1, 5 AND 9

In the Office Action, at page 3, claims 1, 5 and 9 were rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 4,563,824 issued to Baun. The reasons for the rejection are set forth in the Office Action and therefore not repeated. This rejection is traversed and reconsideration is respectfully requested.

Regarding claim 1, the rejection is traversed as Baun fails to teach or suggest, inter alia:

...

- a chuck which is installed on the base plate;

- a hub unit which is detachably engaged to the chuck and receives discs to be stacked;

- disc pushers which are slidably provided outside of the hub unit and include corresponding pressure members which push circumferences of the discs and center the discs; and

- a driving unit which drives the disc pushers simultaneously.

As an initial matter, the Applicants respectfully note that the rejection appears flawed in that Baun fails to even mention a chuck. The Office Action asserts that "Baun teaches a disc centering device comprising... a chuck (190) which is installed on the base plate..." *Office Action*, page 4. However, the Applicants respectfully note that Baun clearly states that "...the workpiece disc **190** is disposed on the disc centering table between the disc handling assemblies." *Baun*, col. 3, lines 44-45. The Applicant's electronically searched Baun for the term "chuck" and did not receive any results. Accordingly, the Applicant's respectfully submit that Baun cannot properly be relied upon for teaching or suggesting the chuck or the hub unit, as recited.

Further, claim 1 recites "a hub unit which... receives discs to be stacked and disc pushers which... include corresponding pressure members which push circumferences of the discs and center the discs..." In contrast, Baun teaches an apparatus for disc position centering that centers a single disc. *See Baun*, col. 1, lines 55-66. Accordingly, the Applicants respectfully submit that Baun cannot properly be relied upon for teaching or suggesting the hub unit or the disc pushers, as recited.

Additionally, claim 1 recites "a driving unit which drives the disc pushers simultaneously." In citing Baun for suggesting this feature, the Examiner has not designated the particular part relied upon, as mandated by 37 CFR 1.104(c)(2). Regardless, the Applicants have reviewed Baun and they respectfully submit that Baun fails to teach or suggest this feature. Baun mentions disc handling assemblies 100, 130, 170, not just a disc handling assembly. The Applicants do believe the disc handling assemblies suggest a "driving unit which drives disc pushers simultaneously". Accordingly, the Applicants respectfully submit that Baun cannot properly be relied upon for teaching or suggesting the driving unit, as recited.

The Applicants respectfully submit that since Baun fails to teach or suggest all of the features of claim 1, this claim is allowable over Baun. Thus, withdrawal of the 102 rejection is respectfully requested.

Regarding the rejection of claims 5 and 9, these claims depend on independent claim 1 and are therefore believed to be allowable for at least the reasons noted above.

REJECTION UNDER 35 U.S.C. §102 OF CLAIMS 1, 3, 5, 6, 8, 10, 15 AND 16

In the Office Action, at page 4, claims 1, 3, 5, 6, 8, 10, 15 and 16 were rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 6,453,541 issued to Guthrie et al. The

reasons for the rejection are set forth in the Office Action and therefore not repeated. This rejection is traversed and reconsideration is respectfully requested.

Regarding claim 1, the rejection is traversed as Guthrie fails to teach or suggest:

...

a chuck which is installed on the base plate;

a hub unit which is detachably engaged to the chuck and receives discs to be stacked;

... and

a driving unit which drives the disc pushers simultaneously.

As with the §102 rejection in view of Baun, the Applicants respectfully note that this rejection appears flawed in that Guthrie fails to even mention a chuck. The Office Action asserts that "Guthrie et al. teaches a disk centering device comprising... a chuck (450 as shown in Fig. 4) which is installed on the base plate..." *Office Action*, page 4. However, the Applicants respectfully note that Guthrie does not indicate what the feature labeled with reference character 450 is. The Applicant's electronically searched Guthrie for the term "chuck" and did not receive any results. Accordingly, the Applicant's respectfully submit that Guthrie cannot properly be relied upon for teaching or suggesting the chuck or the hub unit, as recited.

Further, claim 1 recites "a driving unit which drives the disc pushers simultaneously." As with the §102 rejection in view of Baun, the Examiner has not designated the particular part of Guthrie relied upon for suggesting this feature. Regardless, the Applicants respectfully submit that they have been unable to find a teaching or suggestion of this feature in Guthrie. Guthrie does mention

a motor 1060 for driving a clamping nut in connection with a load application head 1050 that projects downwardly from the bottom surface of the beam 1040. The load applications head 1050 is used to fasten a clamping or loading nut onto a disc pack assembly, once the disc pack mass has been centered.

Guthrie, col. 11, lines 7-12. In other words, Guthrie teaches a motor that fastens a loading nut onto a disk pack to be placed into a hard disc drive. The Applicants respectfully submit that such a motor does not suggest "a driving unit which drives the disc pushers simultaneously." Accordingly, the Applicants respectfully submit that Baun cannot properly be relied upon for teaching or suggesting the driving unit, as recited.

The Applicants respectfully submit that since Guthrie fails to teach or suggest all of the features of claim 1, this claim is allowable over Guthrie. Thus, withdrawal of the 102 rejection is respectfully requested.

Regarding the rejection of claims 3, 5, 6, 8, 10, 15 and 16, these claims depend directly or indirectly on independent claim 1, and are therefore believed to be allowable for at least the reasons noted above.

NEW CLAIM 19

New claim 19 is directed to a disc centering device that comprises, inter alia, a driving unit which drives disc pushers simultaneously. Therefore, it is submitted that claim 19 patentably distinguishes over the prior art.

CONCLUSION

In accordance with the foregoing, it is respectfully submitted that all outstanding objections and rejections have been overcome and/or rendered moot. And further, that all pending claims patentably distinguish over the prior art. Thus, there being no further outstanding objections or rejections, the application is submitted as being in condition for allowance which action is earnestly solicited.


If the Examiner has any remaining issues to be addressed, it is believed that prosecution can be expedited by the Examiner contacting the undersigned attorney for a telephone interview to discuss resolution of such issues.

If there are any underpayments or overpayments of fees associated with the filing of this Amendment, please charge and/or credit the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

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By: 
Christopher P. Mitchell
Registration No. 54,946

1201 New York Avenue, NW, 7th Floor
Washington, D.C. 20005
Telephone: (202) 434-1500
Facsimile: (202) 434-1501